

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN DUNMIRE,
Plaintiff

v.

CAPT. DEPASQUAL, et al.,
Defendants.

**Civil Action No. 05-64 Erie
District Judge McLaughlin
Magistrate Judge Baxter**

ORDER

_____Plaintiff John Dunmire, an inmate incarcerated at the State Correctional Institution at Albion, Pennsylvania (“SCI-Albion”) initiated this case on April 11, 2005, by filing a complaint against Defendants Capt. DePasqual, Pennsylvania Department of Corrections, and Marilyn S. Brooks. [Document # 3]. Plaintiff has now filed a motion for leave to amend complaint [Document # 9], seeking to add two additional Defendants.

AND NOW, this 2nd day of August, 2005;

_____IT IS HEREBY ORDERED that Plaintiff's motion for leave to amend complaint [Document # 9] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff shall serve a copy of the Amended Complaint upon each of the original Defendants, or their legal counsel, within twenty (20) days after filing the Amended Complaint, and file a certificate of service with this Court verifying such service.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Local Rule 72.1.3 B. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

S/Susan Paradise Baxter
SUSAN PARADISE BAXTER
Chief U.S. Magistrate Judge